

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION**

MONTRELL HILLARD

PLAINTIFF

V.

CASE NO. 3:19-CV-209-BSM-BD

BECKY HITTs, *et al.*

DEFENDANTS

RECOMMENDED DISPOSITION

I. Procedure for Filing Objections

This Recommended Disposition (Recommendation) has been sent to Judge Brian S. Miller. Mr. Hillard may file written objections with the Clerk of Court if he disagrees with the findings or conclusions set out in the Recommendation. Objections should be specific and should include the factual or legal basis for the objection.

To be considered, objections must be filed within 14 days. If Mr. Hillard does not file objections, he risks waiving the right to appeal questions of fact. And, if no objections are filed, Judge Miller can adopt this Recommendation without independently reviewing the record.

II. Discussion

Montrell Hillard, a pre-trial detainee at the Poinsett County Detention Center (Detention Center), filed this civil rights lawsuit on behalf of himself, Chaddrick Clark, and Ronnie Nixon. (Docket entry #2) Each Plaintiff is pursuing his claims in a separate lawsuit.

In the complaint, Mr. Hillard complained generally about the conditions inmates and detainees encounter at the Detention Center. He did not specifically state, however,

the unconstitutional conditions that *he* was exposed to; nor did he explain the injuries *he* has suffered because of unconstitutional conditions. Accordingly, the Court ordered Mr. Hillard to file an amended complaint explaining his claims more fully, including a description of the injuries he sustained as a result of his exposure to unconstitutional conditions. He was also instructed to name the Defendants who knew of the unconstitutional conditions but failed to remedy them.

The Court gave Mr. Hillard 30 days to file an amended complaint and specifically cautioned him that his lawsuit could be dismissed if he did not amend his complaint, as ordered. To date, Mr. Hillard has failed to file an amended complaint, and the time to do so has passed.

III. Conclusion

The Court recommends that Mr. Hillard's claims be DISMISSED, without prejudice, based on his failure to amend his complaint, as ordered, and his failure to prosecute this lawsuit.

DATED this 10th day of September, 2019.



UNITED STATES MAGISTRATE JUDGE